

**Fill in this information to identify the case:**

Debtor 1 Helen S. Davis

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of Ohio

Case number 19-41791-tnap

Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

U.S. Bank Trust National Association,  
Name of creditor: as Trustee of the LB-Cabana Series IV Trust Court claim no. (if known): 5-1

Last 4 digits of any number you use to  
identify the debtor's account: 9 5 3 6

Date of payment change:  
Must be at least 21 days after date of this notice 09/21/2022

New total payment: \$ 571.03  
Principal, interest, and escrow, if any

**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**

- ☐ No
- ☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 232.03 New escrow payment: \$ 270.50

**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**

- ☒ No
- ☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_% New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_ New principal and interest payment: \$ \_\_\_\_\_

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**

- ☒ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement.  
(Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_ New mortgage payment: \$ \_\_\_\_\_

Debtor 1

Helen S. Davis

First Name

Middle Name

Last Name

Case number (if known) 19-41791-tnap**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.



I am the creditor.



I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X** /s/ Molly Slutsky Simons

Signature

Date 08/18/2022

Print:

Molly Slutsky Simons

First Name

Middle Name

Last Name

Title Attorney for Creditor

Company

Sottile & Barile, Attorneys at Law

Address

394 Wards Corner Road, Suite 180

Number

Street

Loveland

City

OH

State

45140

ZIP Code

Contact phone

513-444-4100Email bankruptcy@sottileandbarile.com

Escrow Analysis Statement



Rushmore Loan Management Services  
PO Box 514707  
Los Angeles, CA 90051  
www.rushmorelm.com  
(888) 504-6700

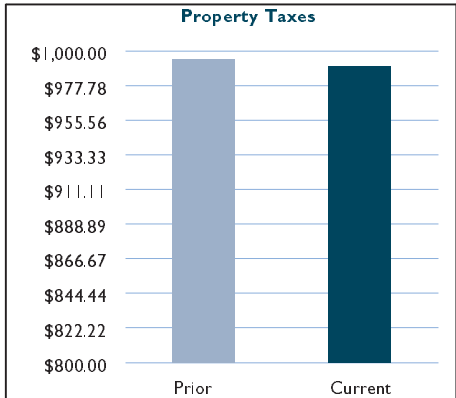
Statement Date: July 11, 2022  
Loan Number: [REDACTED]

----- manifest line -----  
HELEN SUE DAVIS  
PO BOX 96  
SOUTHINGTON OH 44470-0000

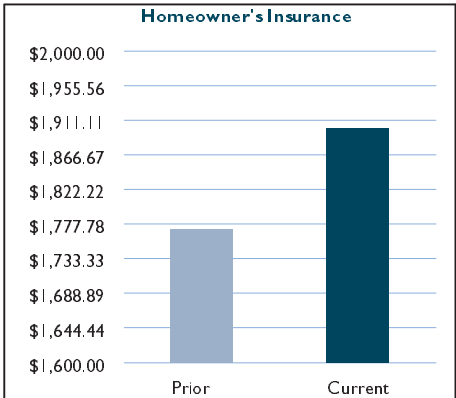
Need help understanding your mortgage escrow statement?  
Scan here or visit rushmorelm.com

We review your escrow account annually to ensure that you have adequate funds to cover your tax and insurance items for the next 12 months. The amounts billed for certain escrow items changed. This statement describes the changes, possible changes to your monthly payments, and your options.

What changed?



Taxes decreased by \$4.44 per year.



Insurance increased by \$129.00 per year.

Changes in the above items mean that the amount needed in your escrow account increased by \$124.56 per year.

How do these changes affect me?

Based upon the Anticipated Escrow Disbursements and Payments, we have determined that your Escrow Account has a shortage. The new monthly payment amount for this loan is \$571.03 which includes a monthly shortage amount of \$29.52. Changes to property taxes and insurance premiums are common and result in changes to required mortgage payments.

	Current Payment	Escrow Change	Shortage Added to Payment over next 24 months
Due Date	07/2021		09/2022
Principal and Interest	\$300.53		\$300.53
Escrow Payment	\$334.23	-\$63.73	\$240.98
Escrow Shortage			\$29.52
TOTAL	\$634.76		\$571.03

A detailed explanation of the calculations for your escrow account is located on page 2.

Note: **Online bill payment users:** Your payment is changing effective 09/21/2022 so **action is required.** Please log into your bank's online account and update your payment amount. Thank you!

Rushmore Loan Management Services LLC

ESCROW SHORTAGE

Loan Number [REDACTED]  
Mortgagor Name: HELEN SUE DAVIS

Escrow Shortage Amount: \$708.44

Rushmore Loan Management Services LLC  
P.O. Box 514707  
Los Angeles, CA 90051-4707  
[Barcode]

Based upon the Anticipated Escrow Disbursements and Payments, we have determined that your Escrow Account has a shortage. The new monthly payment amount for this loan is \$571.03 which includes a monthly shortage amount of \$29.52. Changes to property taxes and insurance premiums are common and result in changes to required mortgage payments.

How did Rushmore make the escrow calculations?

Step 1: Rushmore analyzes all items paid by the escrow account, we then calculate the amount that you'll likely need to pay these bills.

Step 2: We take your anticipated taxes and/or insurance premiums to determine the total outgoing payments. We then divide the total outgoing payments by 12 to determine your monthly escrow amount.

Your total anticipated tax and/or insurance premium(s) are as follows:

Annual Property Taxes	\$990.70
Annual Property Insurance	\$1,901.00
Total	\$2,891.70 divided by 12 months = \$240.97

Step 3: We calculate the minimum required escrow balance. Your escrow account must have a minimum balance of \$0.00 for the next year.

Step 4: We calculate your annual escrow account projection for the coming year. If your monthly escrow balance falls below the minimum balance of \$0.00, your escrow account experiences a shortage. If our calculation determines that your monthly escrow balance will not reach the minimum balance, your escrow account will have an overage.

The table below demonstrates the estimated activity in your escrow account for the coming year.

What escrow activity is expected in the coming year?

The highlighted row indicates the lowest estimated escrow balance for the year of -\$2,651.94. The difference between the lowest projected balance of -\$2,651.94 and the minimum required escrow balance of \$0.00 is \$708.44.

\$708.44 is your escrow shortage.

	PAYMENTS TO ESCROW ACCOUNT	ESTIMATED PAYMENTS FROM ESCROW ACCOUNT				ESCROW ACCOUNT BALANCE	
		MIP/PMI	Taxes	Flood Insurance	Homeowner's Insurance	Estimated	Required
Anticipated Date of Activity		Starting Balance				-\$1,701.47	\$950.47
Sep 22	\$240.98					-\$1,460.49	\$1,191.45
Oct 22	\$240.98					-\$1,219.51	\$1,432.43
Nov 22	\$240.98					-\$978.53	\$1,673.41
Dec 22	\$240.98					-\$737.55	\$1,914.39
Jan 23	\$240.98				\$1,901.00	-\$2,397.57	\$254.37
Feb 23	\$240.98		\$495.35			-\$2,651.94	\$0.00
Mar 23	\$240.98					-\$2,410.96	\$240.98
Apr 23	\$240.98					-\$2,169.98	\$481.96
May 23	\$240.98					-\$1,929.00	\$722.94
Jun 23	\$240.98					-\$1,688.02	\$963.92
Jul 23	\$240.98		\$495.35			-\$1,942.39	\$709.55
Aug 23	\$240.98					-\$1,701.41	\$950.53

**NOTE:** If this escrow analysis indicates that there is a surplus, it may not mean that you are entitled to receive a return of that surplus. This analysis was calculated based on an assumption that the account is current according to the terms of the note and Mortgage/Deed of Trust. If the account is behind, in default, or in bankruptcy, this analysis may not reflect the current state of the account or the terms of a bankruptcy plan. If there are enough funds in the escrow account the surplus will be mailed to you within 30 days, provided the account is current under the terms of the note and Mortgage/Deed of Trust.

Back of coupon or check intentionally left blank

What escrow activity occurred since your last analysis?

The chart below reflects what actually happened in your escrow account since your last analysis.

Between 10/2021 and 07/2022 a total of \$6,331.06 was deposited to your escrow account and a total of \$2,891.70 was disbursed from your escrow account as follows. Totals for each disbursements are noted below.

COUNTY/PARIS: \$990.70  
HAZARD INS.: \$1,901.00

	PAYMENTS TO ESCROW ACCOUNT		PAYMENTS FROM ESCROW ACCOUNT			ESCROW BALANCE COMPARISON	
Month of Activity	Estimated	Actual	Estimated	Actual	Description	Estimated	Actual
					Starting Balance	\$1,116.57	-\$5,372.86
Oct 21	\$230.60					\$1,347.17	-\$5,372.86
Nov 21	\$230.60	\$668.46		\$1,901.00	HAZARD INS.	\$1,577.77	-\$6,605.40
Dec 21	\$230.60					\$1,808.37	-\$6,605.40
Jan 22	\$230.60		\$1,772.00		HAZARD INS.	\$266.97	-\$6,605.40
Jan 22				\$495.35	COUNTY/PARIS	\$266.97	-\$7,100.75
Feb 22	\$230.60	\$334.23	\$497.57		COUNTY/PARIS	\$0.00	-\$6,766.52
Mar 22	\$230.60					\$230.60	-\$6,766.52
Apr 22	\$230.60	\$1,002.69				\$461.20	-\$5,763.83
May 22	\$230.60					\$691.80	-\$5,763.83
Jun 22	\$230.60	\$1,002.69		\$495.35	COUNTY/PARIS	\$922.40	-\$5,256.49
Jul 22	\$230.60	\$3,322.99	\$497.57		COUNTY/PARIS E	\$655.43	-\$1,933.50

E—Indicates the activity has not yet occurred but is estimated to occur as shown.

*\*If there is an amount listed in the "Actual" column under Payments To Escrow Account on Page 2 above, then this is the assumption that was made and indicates the amount that would have been paid into escrow for a contractually current loan. This number does not represent payments that were actually made by you. As discussed above, these escrow calculations are calculated based on an assumption that the account would be current according to the terms of the note and mortgage/deed of trust.*

Rushmore Loan Management Services LLC is a Debt Collector, who is attempting to collect a debt. Any information obtained will be used for that purpose. However, if you are in Bankruptcy or received a Bankruptcy Discharge of this debt, this letter is being sent for informational purposes only, is not an attempt to collect a debt and does not constitute a notice of personal liability with respect to the debt.

**ADDITIONAL NOTICES**

Rushmore Loan Management Services LLC is a Debt Collector attempting to collect a debt.

**Bankruptcy Notice.** If you are in bankruptcy or if your obligation to repay this loan was discharged in bankruptcy, this informational notice is sent to you in order to comply with statutory requirements. It is not an attempt to collect a debt. You may disregard information relating to payment remittance. You are not obligated to make payments and any amount(s) you do pay Rushmore is at your discretion. Please note, however, Rushmore reserves the right to exercise its legal rights, including but not limited to foreclosure of its lien interest, only against the property securing the original obligation.

If you have any other mortgage loans secured by the same property not serviced by Rushmore, please contact your other servicer directly to discuss any possible loss mitigation options that may be available to you.

If you are a confirmed Successor-in-Interest who has not assumed the mortgage loan obligation under State Law, this letter is being sent for information purposes only and does not constitute personal liability with respect to the debt.

**LEGAL NOTIFICATION:** Rushmore Loan Management Services LLC may report information about your account to credit bureaus. Late payments, missed payments or other defaults on your account may be reflected in your credit report.

**Notice of Error Resolution & Information Request Procedures**

The following outlines the Error Resolution and Information Request Procedures for your mortgage account at Rushmore Loan Management Services LLC (RLMS). Please keep this document for your records.

**If you think an error has occurred on your mortgage account or if you need specific information about the servicing of your loan, please write us at:**

Rushmore Loan Management Services LLC  
P.O. Box 52262  
Irvine, CA 92619-2262

All written requests for information or notices of error should contain the following information:

1. Your name
2. Account number
3. Property Address
4. Description of the error and explanation as to why you believe it is an error or a request for specific information regarding the servicing of your loan
5. Current contact information so we may follow up with you

All written requests for specific information will be handled within 30 days of receipt. We will determine whether an error occurred within 30 days after receiving your notice of error and will correct any error promptly (Notices of error on payoff statements will be handled within 7 days). If additional time is needed to investigate your complaint or request, we may take up to 45 days but we will notify you of the extension within the original 30 days. If we decide that there was no error, we will send you a written explanation. You may ask for copies of the documents that we used in our investigation.

**HUD STATEMENT**

Pursuant to section 169 of the Housing and Community Development Act of 1987, you may have the opportunity to receive counseling from various local agencies regarding the retention of your home. You may obtain a list of the HUD approved housing counseling agencies by calling the HUD nationwide toll-free telephone at 1-800-569-4287.

**Equal Credit Opportunity Act Disclosure**

NOTICE: The federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicants income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Bureau of Consumer Financial Protection, 1700 G Street NW, Washington, DC 20552 or Federal Trade Commission, Equal Credit Opportunity, Washington, DC 20580.

**The following notice is in reference to the Homeowner Assistance Fund:**

The Homeowner Assistance Fund is a federal program to help homeowners impacted by COVID-19 resolve mortgage payments and other housing expenses. To learn more about the availability of Homeowner Assistance Funds in your state, please visit Rushmore's State Homeowner Assistance Resources page at <https://www.rushmorelm.com/state-assistance/>.



Rushmore Loan Management Services  
PO Box 514707  
Los Angeles, CA 90051  
www.rushmorelm.com  
(888) 504-6700

Optional Escrow Shortage Lump Sum Payment Information

Loan Number: [REDACTED]  
Mortgagor Name: HELEN SUE DAVIS  
Escrow Shortage Amount: \$708.44

As outlined in your Rushmore Escrow Analysis Statement, no action is required of you at this time. Your monthly escrow payments have been revised to correct for the shortage amount.

A lump sum payment for your escrow shortage is **NOT** required, but available to you as a completely voluntary option.

Optional Escrow Shortage Lump Sum Payment Choices Available

Online

Use the no charge, one-time payment option online at [www.myrushmoreloan.com](http://www.myrushmoreloan.com) or in our mobile My Rushmore Loan app. Click the "Additional Escrow" button and then follow the instructions on screen.

By Phone with Live Agent

Pay by phone with a live agent, at no charge, by contacting Customer Care at **888.504.6700** Monday - Friday 8:00 a.m. - 6:00 p.m. CT.

By Check

Include your loan number on a check made payable to:  
Rushmore Loan Management Services LLC

Along with your check, **include coupon below** in the enclosed envelope and mail to:  
Rushmore Loan Management Services LLC  
P.O. Box 514707  
Los Angeles, CA 90051-4707

Rushmore Loan Management Services LLC

ESCROW SHORTAGE

Loan Number: [REDACTED]  
Mortgagor Name: HELEN SUE DAVIS  
Escrow Shortage Amount: \$708.44

Rushmore Loan Management Services LLC  
P.O. Box 514707  
Los Angeles, CA 90051-4707  
[Barcode]

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
YOUNGSTOWN DIVISION**

In Re:	Case No. 19-41791-tnap
Helen S. Davis	Chapter 13
Debtor.	Judge Tiara Patton

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**CERTIFICATE OF SERVICE**

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I certify that on August 18, 2022, a true and correct copy of this Notice of Mortgage Payment Change was served:

Via the Court's ECF System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Timothy E. George, Debtor's Counsel  
timgeorge@timgeorgelaw.com

Michael A. Gallo, Trustee  
mgallo@gallotruster.com

Office of the U.S. Trustee  
(registeredaddress)@usdoj.gov

And by regular U.S. Mail, postage pre-paid on:

Helen S. Davis, Debtor  
3715 Painesville Warren Road  
Southington, OH 44470

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (0083702)  
Sottile & Barile, Attorneys at Law  
394 Wards Corner Road, Suite 180  
Loveland, OH 45140  
Phone: 513.444.4100  
Email: bankruptcy@sottileandbarile.com  
Attorney for Creditor